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**PARALEGAL**  
Maria Nunez, B.S.

May 13, 2021

**Via ECF and Email**

Honorable Nelson S. Roman  
District Judge  
United States District Court  
The Hon. Charles L. Brieant Jr.  
Federal Building and United States Courthouse  
300 Quarropas St.  
White Plains, NY 10601-4150

USDC SDNY  
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Re: *Hartford Fire Insurance Company v. Queens County Carting Inc., et. al.*  
Case: 20-CV-1844 (NSR)

Judge Roman:

This office represents Queens County Carting, Inc. ("QCC") in the above referenced case. **We write to respectfully request an extension of the briefing schedule previously ordered by the Court on March 15, 2021.**

On March 15, 2021 the Court issued a briefing schedule for QCC's motion to vacate the default judgment obtained by the Plaintiff. Defendant's motion was due to Plaintiff only on April 14th and Plaintiff's Response was due May 14<sup>th</sup> ; with QCC's reply due May 31<sup>st</sup>. The initial briefs were to be filed with the Court on May 14, 2021.

On March 18th I was hospitalized for a second time since February - for treatment of COVID - 19 - and did not return to work until April. The Court's Order was misread to me in March while I was in the hospital, by a member of the office staff who was working remotely; and it was therefore not calendared properly. On May 7<sup>th</sup>, I finished a two week jury trial in the Southern District in front of Judge Woods which began on April 26th. During the course of the trial, while searching through my SDNY ECF bounces for certain disclosure notices at issue in the that trial, Your Honor's Order came up on my search list. *Through no fault of my client, the Court's briefing schedule was not properly attended to by my office, and for that I am deeply apologetic and responsible.*

MEMO ENDORSED

Given the above it is respectfully requested that the Court issue new briefing schedule for QCC's motion to vacate the default as follows: (i) QCC's papers by May 31, 2021, (ii) Plaintiff's response by June 30, 2021. Initial briefs filed with the Court on June 30, 2021 and (iii) any reply from QCC on or before July 15, 2021.

I have explained the above to Plaintiff's counsel via email and voice mail and he has not, as of yet, responded.

The Court's consideration of this request is respectfully and greatly appreciated.

Yours truly,

*John Russo*

John L. Russo

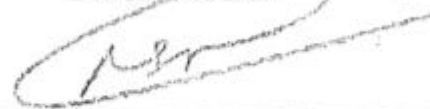
Cc: Mark Ledwin, Esq.

The Court grants Defendant Queens County Carting, Inc.'s ("QCC") application. The new briefing schedule for QCC's motion to vacate default judgment is as follows: QCC's moving papers shall be served (**not filed**) on or before May 31, 2021; Plaintiff's opposition shall be served (**not filed**) on or before June 30, 2021; QCC's reply papers shall be served on or before July 15, 2021.

**The parties shall file their motion documents on the reply date, July 15, 2021.** The parties are directed to mail two physical courtesy copies of their motion documents to Chambers as the documents are served. In accordance with the Court's Emergency Rules, the parties shall also email electronic copies of their motion documents to Chambers. The Clerk of the Court is kindly directed to terminate the motion at ECF No. 31.

Dated: 5/13/2021  
White Plains, NY

SO ORDERED:



NELSON S. ROMÁN  
United States District Judge